SINGLE BENCH

(3)

(1)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 3977 /2005

PETITIONER : Ganga Prasad, S/o. Suk Lal, aged about 24years, at present working as Kotwar, R/o- Village- Khanta, Tehsil Pendra Road, District Bilaspur (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh through the Secretary. Deptt. of Revenue, D.K.S. Bhawan, Raipur (C.G.).
2. The Collector, Distt. Bilaspur (C.G.)
3. The Sub Divisional Officer, Pendra Road, Dist. Bilaspur (C.G.)

P.R. No. 4787/05 Presented by Shri Shaily Sahu dated 16/8/05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

(38)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P.No.3977/05 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	31-8-2005 Shri F. S. Khare, counsel for the petitioner. Shri Yashwant Singh Thakur, Govt. Advocate for the State/ respondents. Heard both the counsel. The petitioner has preferred this writ petition with a grievance that respondent No.3 is not deciding the application of the petitioner for grant of Bhoomiswami right. The case of the petitioner is that the petitioner is a Kotwar and the forefather of the petitioner namely Bisahu was appointed as Kotwar by the then Malgujar. The land bearing Khasra Nos.75, 158, 276, 300 and 351, total area 5.26 acres and the land bearing Khasra No.181, area 0.77 acres was given to him. The lands in question were held by him prior to abolition of Propriety (Estate, Mahal and Alienated land) Rights Act 1950, and as per the Act the ancestors of the petitioner had Bhoomiswami right on the land and the said land is in continuous possession of the petitioner, therefore, he is entitled for Bhoomiswami right being a Kotwar. Counsel for the petitioner submitted that respondent No.3 be directed to decide the case of the petitioner regarding Bhoomiswami right to which counsel for respondents has no objection.	

(59)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

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Barve	Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation to respondent No.3 within a period of 10 days raising all his grievances and in turn, respondent No.3 shall decide the representation of the petitioner regarding grant of Bhoomiswami right within another period of 3 months from the date of receipt of the representation, after considering all the points raised by the petitioner, in accordance with law. With the direction aforesaid, the petition stands disposed of. Consequently, I. A. Nos.7418/2005 and 7419/2005 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	